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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
CONSUMER SERVICES DIVISION**

IN THE MATTER OF DETERMINING
Whether there has been a violation of the
Mortgage Broker Practices Act of Washington by:

LIBERTY FINANCIAL CORP., and
MITCHELL L. SWEETEN, Designated Broker,
Respondents.

NO. C-03-050-03-FO01

FINAL ORDER

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I. DIRECTOR'S CONSIDERATION

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington ("Director") pursuant to RCW 34.05.440(1). On July 24, 2003, the Director through her designee Consumer Services Division Acting Director and Enforcement Chief Chuck Cross, entered a Statement of Charges and Notice of Intent to Revoke License, Collect Annual Assessments, Collect Examination Fees, Impose Monetary Fine, and Prohibit from Participation in the Industry ("Statement of Charges"). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Liberty Financial Corp. and Mitchell L. Sweeten. The Department of Financial Institutions of the State of Washington ("Department") served the Statement of Charges, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Liberty Financial Corp. and Mitchell L. Sweeten by personal service on Respondent Mitchell L. Sweeten by D. Arbogast of ABC Legal Services, Inc. on August 10, 2003. Respondents Liberty Financial Corp. and Mitchell L. Sweeten did not request an adjudicative hearing.

1 B. Record Presented. The record presented to the Director for her review and for entry of
2 a final decision included the Statement of Charges, Notice of Opportunity to Defend and Opportunity for
3 Hearing, blank Applications for Adjudicative Hearing for Liberty Financial Corp. and Mitchell L.
4 Sweeten, and documentation of service.

5 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the
6 Director hereby adopts the Statement of Charges, which is attached hereto.

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8 II. FINAL ORDER

9 Based upon the foregoing, and the Director having considered the record and being
10 otherwise fully advised, NOW, THEREFORE:

11 A. IT IS HEREBY ORDERED, That:

- 12 1. Respondent Liberty Financial Corp.'s license to conduct the business of a
13 mortgage broker is revoked;
- 14 2. Respondents Liberty Financial Corp. and Mitchell L. Sweeten jointly and
15 severally pay the \$530.86 Annual Assessment for 2002. Additionally,
16 Respondents Liberty Financial Corp. and Mitchell L. Sweeten jointly and
17 severally pay the \$530.86 Annual Assessment for 2003 no later than January 31,
18 2004;
- 19 3. Respondents Liberty Financial Corp. and Mitchell L. Sweeten jointly and
20 severally pay an examination fee in the amount of \$716.70, calculated at \$47.78
21 per hour for fifteen (15) staff hours devoted to the investigation;
- 22 4. Respondents Liberty Financial Corp. and Mitchell L. Sweeten jointly and
23 severally pay a fine of \$2250.00 for failure to maintain a surety bond with the
24 Department, calculated at \$75.00 per day for thirty (30) days;
- 25 5. Respondent Mitchell L. Sweeten is prohibited from participation in the conduct of
the affairs of any licensed mortgage broker, in any manner, for a period of five (5)
years;

1 6. Respondents Liberty Financial Corp. and Mitchell L. Sweeten maintain records in
2 compliance with chapter 19.146 RCW, the Mortgage Broker Practices Act ("Act")
3 and provide the Department with the location of the books, records and other
4 information relating to Liberty Financial Corp.'s mortgage broker business, and
 the name, address and telephone number of the individual responsible for
 maintenance of such records in compliance with the Act.

5 B. Reconsideration. Pursuant to RCW 34.05.470, Respondents have the right to file a
6 Petition for Reconsideration stating the specific grounds upon which relief is requested. The Petition
7 must be filed in the Office of the Director of the Department of Financial Institutions by courier at 150
8 Israel Road SW, Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia,
9 Washington 98504-1200, within ten (10) days of service of the Final Order upon Respondents. The
10 Petition for Reconsideration shall not stay the effectiveness of this order nor is a Petition for
11 Reconsideration a prerequisite for seeking judicial review in this matter.

12 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date
13 the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written
14 notice specifying the date by which it will act on a petition.

15 C. Stay of Order. The Director has determined not to consider a Petition to Stay the
16 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial
17 Review made under chapter 34.05 RCW and RCW 34.05.550.

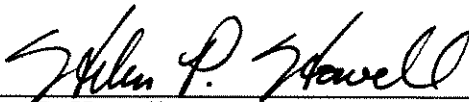
18 D. Judicial Review. Respondents have the right to petition the superior court for
19 judicial review of this agency action under the provisions of chapter 34.05 RCW. For the requirements
20 for filing a Petition for Judicial Review, see RCW 34.050.510 and sections following.
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1 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for
2 Judicial Review, service is effective upon deposit of this order in the U.S. mail, declaration of service
3 attached hereto.
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6 DATED this 23rd day of September, 2003.
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STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS



Helen P. Howell
Director